

Ordinance Amending Durham City Code Sec. 46-22, and Repealing Durham City Code Sections 46-23 through 46-27

Sec. 1. Revisions to Sec. 46-22. Sec. 46-22 is revised to read:

Sec. 46-22. Display and possession of dangerous weapons-Prohibited on certain city property.

(a) It is unlawful for any person to display a dangerous weapon while on or in city property, or to leave displayed a dangerous weapon within a motor vehicle while the vehicle is on city property. Notwithstanding the foregoing, this section shall not prohibit the display of a long gun being stored in a locked gun rack in an attended motor vehicle, or a locked unattended motor vehicle, while the vehicle is on city property.

(b) The City Manager, or his or her designee, may permit the posting of a prohibition against carrying a concealed handgun, in accordance with G.S. §14-415.11(c), on the City property identified below. The posting of a prohibition against carrying a concealed handgun at or within an athletic field shall only apply during an organized athletic event when the field has been scheduled for use with the City. Notwithstanding the foregoing, this section shall not prohibit a concealed handgun permittee from storing a handgun within the trunk, glove box, or other enclosed compartment or area within or on a locked motor vehicle while the vehicle is on City property.

(1) any City building and its appurtenant premises;

(2) the following recreational facilities:

a. each athletic field at or within:

1. C.M. Herndon Park located at 511 Scott King Road;
2. C.R. Wood Park located at 417 Commonwealth Avenue;
3. Campus Hills Park located at 2000 S. Alston Avenue;
4. Cook Road Park located at 602 Cook Road;
5. Crest Street Park located at 2503 Crest Street;
6. East Durham Park located at 2500 E. Main Street;
7. East End Park located at 1200 N. Alston Avenue;
8. Hillside Park located at 1301 S. Roxboro Street;
9. Lakeview Park located at 3500 Dearborn Drive;
10. Long Meadow Park located at 917 Liberty Street;
11. Lyon Park located at 1200 W. Lakewood Avenue;
12. Morreene Road Park located at 1102 Morreene Road;
13. Old Chapel Hill Road Park located at 3751 SW Durham Parkway;
14. Old Farm Park located at 7 Hedgerow Place;
15. Old North Durham Park located at 310 W. Geer Street;

16. Oval Drive Park located at 2200 W. Club Boulevard;
17. Pineywood Park located at 400 E. Woodcroft Parkway;
18. Red Maple Park located at 3320 Hinson Drive;
19. River Forest Park located at 1000 Windermere Drive;
20. Rock Quarry Park located at 701 Stadium Drive;
21. Sherwood Park located at 1720 Cheek Road;
22. Southern Boundaries Park located at 400 Third Fork Road;
23. Twin Lakes Park located at 435 Chandler Road;
24. Valley Springs Park located at 3805 Valley Springs Road;
25. Walltown Park located at 1308 W. Club Boulevard;
26. Weaver Street Park located at 3000 E. Weaver Street;
27. Whippoorwill Park located at 1632 Rowemont Drive;
28. Wrightwood Park located at 1301 Anderson Street;
29. Durham Bulls Athletic Park located at 409 Blackwell Street;
30. Durham Athletic Park located at 500 W. Corporation Street.

b. each of the swimming pools identified below:

1. Campus Hills Pool located at 2000 S. Alston Avenue;
2. Edison Johnson Aquatic Center located at 500 W. Murray Avenue;
3. Forest Hills Pool located at 1639 University Drive;
4. Hillside Pool located at 1221 Sawyer Street;
5. Long Meadow Pool located at 917 Liberty Street

c. each of the facilities used for athletic events identified below:

1. Edison Johnson Recreation Center located at 500 W. Murray Avenue;
2. W.D. Hill Recreation Center located at 1308 Fayetteville Street.

(b) For purposes of this section, the following words have the meaning indicated:

*Athletic field* means an outdoor area used for organized athletic events including any appurtenant facilities.

*City property* means any building including its grounds, park, recreational facility, playground, cemetery, landfill, parking garage, parking lot, streets, sidewalks, alleyways, or other public property owned by the city or leased by the city as lessee. City property does not include: property leased, subleased or rented by the city to a private person or entity; or ranges legally permitted by the chief of police.

*Dangerous weapon* means any firearm, pump gun, air rifle, air pistol, BB gun, crossbow, bow and arrow, bowie knife, dirk, dagger, slingshot, loaded cane, metallic knuckles, razor, shuriken, stun gun, switch blade knife, black jack, or any other weapon of like kind.

*Handgun* means a firearm that has a short stock and is designed to be held and fired by the use of a single hand.

*Long gun* means a shotgun or rifle which expels a projectile by action of an explosion.

*Recreational facility* means an athletic field, a swimming pool, or a facility used for athletic events.

*Swimming pool* means an artificially enclosed body of water intended for swimming or water-based recreation, including any appurtenant facilities used for dressing, storage of personal items, or other uses relating to the swimming pool.

(c) Conduct prohibited by this section shall not apply to:

- (1) Sworn law enforcement officers who are within their jurisdiction;
- (2) Members of the United States armed forces or national guard while in the discharge of their official duties;
- (3) Any person possessing a dangerous weapon in a city cemetery for the purpose of conducting a military or law enforcement funeral or commemorative exercise pursuant to first having obtained written permission from the city manager or his or her designee;
- (4) Any person possessing a dangerous weapon in a city park for ceremonial or recreational purposes pursuant to having first obtained valid written permission from the director of parks and recreation or his or her designee.

Sec. 2. *Repealed code sections*. The following sections of the city code are repealed: Sec. 46-23, Sec. 46-24, Sec. 46-25, Sec. 46-26, and Sec. 46-27.